**Paul Suskie** Chairman (501) 682-1451

Colette D. Honorable Commissioner (501) 682-1455

> Olan W. Reeves Commissioner (501) 682-1453

## ARKANSAS PUBLIC SERVICE COMMISSION

1000 Center P.O. Box 400

Little Rock, Arkansas 72203-0400 Received & Inspedittp://www.Arkansas.gov/psc

FCC Mail Room

July 23, 2009

Ms. Marlene H. Dortch Office of the Secretary Federal Communications Commission 445 W. 12<sup>th</sup> Street, S.W., Room TW-A306 Washington, D.C. 20554

(via hard copy)

Ms. Karen Majcher Vice President, High Cost & Low Income Division Universal Service Administrative Company 2000 L Street, N.W., Suite 200 Washington, D.C. 20036

(via e-mail & hard copy)

Re: Certification for Link-Up & Lifeline Support for Nexus Communications, Inc. CC Docket No. 96-45 and 00-256

Dear Ms. Dortch & Ms. Majcher:

Please be advised that Nexus Communications, Inc has been certified to provide Lifeline services in certain Southwestern Bell d/b/a AT&T Arkansas exchange areas. The order granting the ETC status is attached.

If any additional information is needed to assure certification of this carrier, please contact me.

Please return a copy of this letter, noting your receipt, in the enclosed stamped, self addressed envelope.

Your courtesy and cooperation is appreciated.

Cordially,

Arthur H. Stuenkel

Attorney for the Arkansas Public Service Commission

501.682.5877

art stuenkel@psc.state.ar.us

cc: Mr. Mr. Steven Fenker (via e-mail)

Mr. Sam Loudenslager (via e-mail)

Mr. Dave Slaton (via e-mail)

No. of Copies rec'd 0

## ARKANSAS PUBLIC SERVICE COMMISSION SECRETARY OF COMM 7009 JUL 22 P 1: 24 IN THE MATTER OF THE PETITION OF ) DOCKET NO. 05 TST-U NEXUS COMMUNICATIONS, INC., FOR DESIGNATION AS AN ELIGIBLE **TELECOMMUNICATIONS** CARRIER ORDER NO. 5 PURSUANT TO SECTIOB 214(E)(2) AND SECTION 214 (E)(6)OF THE **COMMUNICATIONS ACT OF 1934**

## **ORDER**

By this Order Nexus Communications, Inc. ("Nexus") Petition for Designation as an Eligible Telecommunications Carrier, as amended on May 9, 2009 and supplemented on June 26, 2009, is granted and Nexus is hereby authorized as an ETC to provide Lifeline and Link-Up services via wireline modality and wireless service in those exchanges listed in Exhibit D to Nexus' Petition for Designation as an Eligible Telecommunications Carrier filed in this docket.

This docket was initiated by the filing of a Petition for Designation as an Eligible Telecommunications Carrier ("ETC") by Nexus pursuant to 47 U.S.C. §§214 (e) (2) & (6) and 47 C.F.R. §§54.101 through 54.207. Order No. 2 of this docket granted a Petition to Intervene by Southwestern Bell Telephone, L.P. d/b/a AT&T Arkansas ("AT&T"). AT&T then filed a Petition to Initiate Rulemaking and Motion for Stay requesting that this docket be stayed pending development of rules governing certification of ETCs. The Motion was granted by Order No. 3.

On May 9, 2009 Nexus filed an Amendment to its Petition for ETC Designation.

The Amendment indicates that Nexus will comply with all applicable rules governing

ETC designation required by the Federal Communications Commission and by Order



No. 7 of Arkansas Public Service Commission Docket No. 06-050-R which governs the ETC certification requirements which are applied by this Commission. The Amendment further indicates that Nexus is seeking ETC status for the provision of Lifeline and Link-Up services only and Nexus is not seeking federal high cost support. Nexus' request is also limited to certain Southwestern Bell exchanges which are set forth in exhibit D to

Nexus' original Petition.

On June 26, 2009 Nexus filed a Supplement to its Petition and Amended Petition. The Supplement requests that Nexus be granted an ETC designation for Lifeline and Link-Up services to be provided via wireline modality and Nexus' wireless service. The Supplement also reiterates how Nexus intends to comply with the FCC requirements for ETC status as well as the requirements of this Commission as established in Order No. 7 of Docket 06-050-R.

Order No. 4 of this docket allowed any party desiring to file testimony, comments or otherwise respond to the Petition of Nexus Communications, Inc. for Designation as an Eligible Telecommunications Carrier to file responses on or before Friday, July 10, 2009. The Secretary of the Commission was directed to serve a copy of the Order on all Arkansas ETCs. No objections to the granting of Nexus' request were received.

Based on the record in this docket Nexus has clearly established that it is prepared to meet the FCC requirements for ETC status as well as the requirements of this Commission and that this Commission has jurisdiction over the Application. Further Nexus has shown that the availability of basic telecommunications services to low-income consumers would benefit the public health, safety and welfare by allowing consumers to choose from a variety of telecommunications providers and the variety of

Docket No. 05-151-U Order No. 5 Page 3

telecommunications services they provide. This would provide a benefit to consumers who routinely drive long distances to attend work or school or to accomplish everyday tasks such as shopping or attending community and social events. The wireless service offered by Nexus will provide these consumers with an alternative to traditional telecommunications service that can be used while at home and away from home. Inclusion of Nexus wireless' Lifeline and Link Up programs will enable consumers to obtain wireless service which might otherwise be unavailable to them. The granting of Nexus request is clearly in the public interest.

It is therefore ordered that the Petition for Designation as an Eligible Telecommunications Carrier, as amended on May 9, 2009 and supplemented on June 26, 2009 is granted and Nexus is hereby authorized as an ETC to provide Lifeline and Link-Up services via wireline modality and wireless service in those exchanges listed in Exhibit D to Nexus' Petition for Designation as an Eligible Telecommunications Carrier filed in this docket.

BY ORDER OF THE PRESIDING OFFICER PURSUANT TO DELEGATION.

This 22 MD day of July, 2009.

Arthur H. Stuenkel

Presiding Officer

Office of the Secretary of the Commission

I heraby certify that the following order issued by the Arkaness Public Service Commission has been served on all perties of record this date by U.S. mail with postage prepaid, using the address of each party as indicated in the official decirat file.

Secretary of the Cognification
Date 7/33/00

## Exhibit D - List of Exchanges

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ALTHEIMER	ALTHARMARS2
ARKADLPHIA	ARKDARMADSD
ARKANSASCY	MCGHARMADS0
ASHDOWN	ASHDARMARS1
BATESVILLE	BTVLARNODSO
BATESVILLE	BTVLARSORS1
BAUXITE	BAXTARBXRS1
BEEBE	BEEBARMARS1
BENTON	BNTNARMADS0
BENTON	BNTNARNORS1
BENTONVL	BNTVARBVRS1
BLACK ROCK	BLRKARMARS2
BLACKFIHLK	BFLKARMARS1
BLYTHEVL	BYVLARLERS1
BLYTHEVL	BYVLARPODS0
BODCAW	BDCWARMARS2
BRINKLEY	BRNKARMARS1
BRYANTCGVL	LTRKARVIRS1
CALION	CALNARMARSZ
CAMDEN	CMDNARCURS1
CAMDEN CAMDEN	CMDNARSHRS1
CAMDEN	CMDNARTERS1
CAVE CITY	CASHARMARS2
CENTER RDG	CVCYARMARS1
CHERRY VLY	CNRGARMARS2 CHVYARMARS2
CHIDESTER	CHDSARMARS1
CLEVELAND	CLEVARMARS2
CONCORD	CNCRARMARS2
CONWAY	CNWYARMADSO
CONWAY	CNWYARMYRS1
CRAWFODSVL	CFVLARMARS1
CRYSTALSPG	CRSPARMARS2
DELL	DELLARMARS1
DERMOTT	DRMTARMARS1
EARLE	EARLARMARS1
EL DORADO	ELDOARMADSO
EUDORA	EUDRARMARS1
EUREKA SPG	ERSPARMARS1
FAYETTEVL	FYVLAREERS1
FAYETTEVL	FYVLARHIDS0
FERNDALE	LTRKARVARS1
FORREST CY	FRCYARMADS0
FORREST CY	FRCYARPARS1
FORT SMITH	FTSMARGLDS0
FORT SMITH	FTSMARMIDS0
FORT SMITH GRADY	FTSMARSUDS0
GRAVETTE	GRDYARMARS1 GRVTARMARS1
GREERSFRRY	GRFYARMARS1
GRUBBS	GRBSARMARS2
GURDON	GRDNARMAR\$1
HAMBURG	HMBGARMARS1
HARRISBURG	· · · · · ·
UNIVIODURG	HRBGARMARS1

SOUTHWESTERN BELL
SOUTHWESTERN BELL

**HEBER SPG** HELENA **HELENA** HICKORYRDG HINDSVILLE HOPE HOTSPRINGS **HOTSPRINGS HOTSPRINGS HOTSPRINGS** HUGHES HUTTIG JESSIEVL **JESSIEVL** JOINER **JONESBORO** JONESMILLS **LAKE VLG** LITTLEROCK LONOKE LONSDALE **LUXORA** MACEDONIA **MAGNOLIA** MALVERN MARIANNA MARION MCNEIL MENA MONTICELLO **MORO** MORRILTON MORRILTON MOUNTHOLLY NASHVILLE NATURALDAM NEWARK NEWPORT NORPHLET OIL TROUGH **OSCEOLA** PALARM

HBSPARMADS0 **HLNAARHIRS1 HLNAARJURS1 HCRGARMARS2 HNDVARMARS1 HOPEARMARS1** HTSPARCORS1 HTSPARLADS0 HTSPARNADS0 HTSPARRORS1 **HGHSARMARS1** HTTGARMARS2 JSVLARDERS1 JSVLARMARS1 JONRARMARS2 JNBOARMADS0 JNMLARMARS1 LKVGARMARS1 LTRKARCADS0 LTRKAREARS1 LTRKARFRDS0 LTRKARFRRS2 LTRKARLODS0 LTRKARMODS0 LTRKARSKDS0 LTRKARSKRS1 LTRKARSWRS1 LTRKARWIRS1 LTRKARWIRS2 LONKARNBRS1 **LNDLARMARS2** LUXRARMARS2 MCDNARMARS1 MGNLARMADS0 MLVRARMARS1 MRNNARMARS1 MARNARMARS1 MCNLARMAR\$1 MENAARMARS1 MNTIARMADS0 MOROARMARS2 MLTNARFLRS1 MLTNARPARS2 MTHLARMARS2 NSVLARMARS1 NTRDARMARS1 **NWRKARMARS2** NWPTARMARS1 NRPHARMARS2 **OLTRARMARLO** OSCLARMARS1 LTRKARULDS0

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SOUTHWESTERN BELL TELEPHONE CO AR

PARAGOULD	PRGLARCEDSD
PARAGOULD	PRGLARLIRS1
PARAGOULD	PRGLARNORS1
PARKIN	PRKNARMARS1
PARON	PARNARMARS2
PINE BLUFF	PNBLARCHRS1
PINE BLUFF	PNBLARJEDS0
PINE BLUFF	PNBLARWCDS0
PINNACLE	LTRKARTORS1
PORTLAND	PTLDARMARS1
ROGERS	RGRSAREARS1
ROGERS	RGRSARMADS0
SCOTT	LTRKARYORS1
SEARCY	SRCYARMADSD
SMACKOVER	SMCKARMARS1
SPRINGDALE	FYVLARHIRS2
SPRINGDALE	SPDLARFORS1
SPRINGDALE	SPDLARPLDS0
SPRINGLAKE	LTRKARTUDS0
STAMPS	STMPARMARS1
STEPHENS	STPHARMARS1
STRONG	STRNARMARS2
SYVNHLSHWD	LTRKARTEDSD
SYVNHLSHWD	LTRKARTERS1
TURRELL	TRRLARMARS1
URBANA	URBNARMARS2
VAN BUREN	VNBRARMADS0
VAN BUREN	VNBRARNORS1
VILLAGE	VLLGARMARS1
W MEMPHIS	WMMPARMADS0
WALNUT RDG	WLRGARMARS1
WARREN	WRRNARMARS1
WATSON	WTSNARMARS1
WILMAR	WLMRARMARS1
WILSON	WLSNARMARS2
WRIGHTSVL	LTRKARTWRS1
WYNNE	WYNNARMARS1
CENTERTON	BNTVARCRDS0
ELMSPRINGS	BNTVARCRGEL